IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 26TH NOVEMBER 2007 / 5TH AGRAHAYANA 1929

Crl.MC.No. 3533 of 2007()

CC.422/2002 of JUDL.MAGISTRATE OF FIRST CLASS-II, KOCHI

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PETITIONER: COMPLAINANT

M/S.SRI.AYYAPPA PAPER COMPANY PRIVATE LIMITED, XL/1748, ERNAKULAM MERCHANTS UNION ROAD, BROADWAY, ERNAKULAM, REPRESENTED BY ITS POWER OF ATTORNEY HOLDER SRI.A.R.K.N.PERIYAKARUPPAN.

BY ADV. SRI.A.BALAGOPALAN
SRI.A.RAJAGOPALAN

RESPONDENTS: ACCUSED NOS.1 AND 2/STATE

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1. M/S.SIVA SAKTHI PACKAGES, A PARTNERSHIP FIRM HAVING ITS OFFICE AT 1B, 3RD CROSS ROAD, KAMARAJ COLONY, HOSUR AND FACTORY AT 11TH K.M.KELAMANGALAM ROAD, AGGONDAPALLI (VIA) HCF, DENKANIKOTTAI T.K.DHARMAPURI DISTRICT REPRESENTED BY ITS MANAGING PARTNER A.VENKATESALU.

2. A.VENKATESALU, MANAGING PARTNER, M/S.SIVA SAKTHI PACKAGES, HAVING ITS OFFICE AT 1B, 3RD CROSS ROAD, KAMARAJ COLONY, HOSUR AND FACTORY AT 11TH K.M.KELAMANGALAM ROAD, AGGONDAPALLI (VIA), HFC, DENKANIKOTTAI T.K.DHARMAPURI DISTRICT.

3. STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.M.S.BREEZ

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 26/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

Crl.M.C.No.3533 of 2007

Dated this the 26th day of November 2007

O R D E R

The short grievance of the petitioner is that though all steps have been taken by the petitioner as directed by the learned Magistrate after Annexure A1 order passed by this court, the learned Magistrate has again posted the case for taking steps to 27/11/2007. The petitioner is at a loss to understand what further steps are to be taken. It is certainly for the petitioner to make appropriate representation before the learned Magistrate when the matter comes up for hearing on 27/11/2007.

2. The petitioner can appear before the learned Magistrate on 27/11/2007 and seek further direction from the learned Magistrate as to what steps are to be taken by him. Before the petitioner is visited with any adverse consequences for not taking such steps, the learned Magistrate must clarify to the petitioner what steps he has to take the petitioner should not be visited with any adverse order before such clarification is made and the petitioner is given time to take such necessary steps, if any.

3. This petition is accordingly dismissed with the above observations.

Hand over copy of this order to the learned counsel for the petitioner.

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007